

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

EDGAR TELESFORD,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.

-----  
**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

16 Civ. 819 (CBA) (SMG)

**PLEASE TAKE NOTICE** that, upon the Local Civil Rule 56.1 Statement of Undisputed Material Facts, dated September 4, 2020, submitted by Defendant New York City Department of Education; the Declaration of Mark R. Ferguson in Support of Defendant's Motion for Summary Judgment, dated September 4, 2020; and the exhibits annexed thereto; Defendant's Memorandum of Law in Support of Its Motion for Summary Judgment, dated September 4, 2020; and upon all prior pleadings and proceedings herein, Defendant will move this Court, before the before the Honorable Carol Bagley Amon, United States District Judge, Eastern District of New York, at the Courthouse thereof, United States Courthouse for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, on October 27, 2020, at 2:00 p.m., for an order and judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment to Defendant, dismissing the Amended Complaint in its entirety as against Defendant, entering judgment for Defendant, and granting Defendant costs, fees, and expenses together with such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's order, dated August 20, 2020, Plaintiff shall serve his opposition to Defendant's Motion for Summary

Judgment on Defendant by October 5, 2020, and Defendant shall serve its reply, if any, by October 12, 2020.

Dated: Brooklyn, New York  
September 4, 2020

**JAMES E. JOHNSON**  
Corporation Counsel of the  
City of New York  
Attorney for Defendant  
100 Church Street, Room 2-122  
New York, New York 10007-2601  
(212) 356-2507  
[mferguso@law.nyc.gov](mailto:mferguso@law.nyc.gov)

By: /s/ Mark R. Ferguson  
Mark R. Ferguson  
Assistant Corporation Counsel

TO: **STEWART LEE KARLIN LAW GROUP, P.C.**  
Attorneys For Plaintiff  
111 John Street, 22<sup>nd</sup> Floor  
New York, NY 10038  
[dan@stewartkarlin.com](mailto:dan@stewartkarlin.com)  
Att: Dan Dugan, Esq.

16 Civ. 819 (CBA) (SMG)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

EDGAR TELESFORD,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION,

Defendant.

**DEFENDANT'S NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

**JAMES E. JOHNSON**

*Corporation Counsel of the City of New York*

Attorney for Defendant

100 Church Street, Room 2-122  
New York, N.Y. 10007-2601

Of Counsel: Mark R. Ferguson  
Tel: (212) 356-2507  
[mferguso@law.nyc.gov](mailto:mferguso@law.nyc.gov)

Our File No. 2016-008526

*Due and timely service is hereby admitted.*

New York, N.Y. ...., 2020

.....  
Attorney for .....